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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,696	02/19/2004	Hiroyuki Yoda	914-180	2027
23117 7590 05/31/2007 NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203				
			EXAMINER HALL, ASHA J	
			ART UNIT 1709	PAPER NUMBER
			MAIL DATE 05/31/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/780,696

Applicant(s)

YODA ET AL.

Examiner

Asha Hall

Art Unit

1709

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☒ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>February 19, 2004</u> .                                       | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4, and 6-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Umemoto et al. (JP2001-213915).

With respect to claim 1, Umemoto et al. discloses in Figure 2 and 4 a photovoltaic module subassembly comprising: a plurality of photovoltaic cells (1) arranged in an array (11) and electrically interconnected (9) as shown in Figure 4; according to Figure 2, a translucent, first plate member (5) of resin adjacent to a light receiving surface of the plurality of photovoltaic cells (11); a second plate member (5) of resin adjacent to a non-light receiving surface of the plurality of photovoltaic cells (11); and a translucent filler layer (4) located between the first and second plate members (5) of resin to seal (31,32) the plurality of photovoltaic cells (11) (paragraph 38).

In regard to claims 2, 3, and 4, Umemoto et al. discloses the subassembly of claim 1 above, and further discloses the first plate member (5) of resin is a translucent film containing resin film containing polyethylene terephthalate (PET) of a fluorine system as a source material (paragraph 38).

With respect to claim 6, Umemoto et al. discloses the subassembly of claim 4

Art Unit: 1709

above, wherein at least one of the first and second plate members (5) of resin is an ultraviolet absorber/PET (UV absorber) (paragraph 38).

In regard to claim 7, Umemoto et al. discloses the subassembly of claim 1 above (Figure 3), wherein the filler layer (4) contains as a source material such as a resin selected from the group consisting of poly vinyl butyral (PVB) resin (paragraph 21).

With respect to claim 8, Umemoto et al. discloses the subassembly of claim 1 above, wherein the plurality of photovoltaic cells (11) is sealed in the filler layer (4) as the cells undergo a lamination process employing a pouching lamination apparatus (paragraph 26 & 27).

In regard to claim 9, Umemoto et al. discloses the subassembly of claim 1 above, wherein the plurality of photovoltaic cells (11) each have a light receiving surface unbonded to the filler layer (4) (paragraph 27).

With respect to claim 10, Umemoto et al. discloses the subassembly of claim 1 above (Figure 4), wherein a conductive wire electrically connecting (9) the plurality of photovoltaic cells (11) and also allowing an external, electrical output (9) is provided in the filler layer (4) and the filler layer (4) has an end provided with an output terminal electrically connected (9) to the conductive wire (paragraph 49).

In regard to claim 11, Umemoto et al. discloses a photovoltaic module with sealed insulating glass comprising as shown in Figure 2: a first plate of glass (21); a second plate of glass (22) arranged opposite the first plate of glass (21); a spacer member (23) forming a space between the first and second plates of glass (21,22); and a photovoltaic module subassembly (11) arranged in the space formed by the spacer

Art Unit: 1709

member (23), the subassembly including a plurality of photovoltaic cells (11) arranged in an array and electrically interconnected (9) as shown in Figure 4, a translucent, first plate member (5) of resin adjacent to a light receiving surface of the plurality of photovoltaic cells (11), a second plate member (5) of resin adjacent to a non-light receiving surface of the plurality of photovoltaic cells (11), and a translucent filler layer (4) located between the first and second plate members (5) of resin to seal the plurality of photovoltaic cells (11).

With respect to claim 12, Umemoto et al. discloses the module of claim 11 above as shown in Figure 2, wherein the subassembly is arranged to cooperate with at least one of the first (21) and second (22) plates of glass to form an air layer/fixed space between the subassembly (11) and the at least one of the first (21) and second (22) plate of glass (paragraph 52).

In regard to claim 13, Umemoto et al. discloses the module of claim 11 above as shown in Figure 2, wherein the spacer member has butyl rubber attached thereto and the spacer member (23) is fitted between the first (21) and second (22) plates of glass at their respective ends to pose the butyl rubber (31) between the spacer member (23) and the first (21) and second (22) plates of glass and silicone resin is applied and allowed to set outer than the spacer member (23) between the first (21) and second (22) plates' respective ends to allow the space to be watertight/waterproof (paragraph 43).

Art Unit: 1709

With respect to claim 14, Umemoto et al. discloses the module of claim 11 above, wherein the subassembly is detachably attached to a frame (2) formed of the first (21) and second (22) plates of glass and the spacer member (23) (Figure 3).

In regard to claim 15, Umemoto et al. discloses the module of claim 14 above as shown in Figure 3, wherein the spacer member (23) is provided with a guide rail to slide into the holding/building envelope (2A) the subassembly to detachably attach the subassembly to the frame (2) (paragraph 51).

With respect to claim 16, Umemoto et al. discloses the module of claim 11 above, wherein the first (21) and second (22) plates of glass are of different types or a single type selected from the group consisting of tempered glass, and wired glass (paragraph 13).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Umemoto et al. (JP2001-213915) in view of Yaba et al. (5,059,254).

With respect to claim 5, Umemoto et al. discloses the subassembly of a photovoltaic module according to claim 4 above, but fails to disclose wherein at least one of the first and second plate members/interlayer (5) of resin is colored and transparent.

Art Unit: 1709

Yaba et al. discloses a photovoltaic module (Figure 5) with a colored polyvinyl butyral layer (4) and further teaches that it is preferable that interlayer is a colored polyvinyl butyral and transmits the visible light in ranges from 5 to 60% (col.7; lines: 40-43). Yaba et al. further teaches that if the light transmittance is higher than 60% it is difficult to reduce the glare from the back electrode and/or grid electrode of a solar cell, and if the transmittance is less than 5% then the visibility is greatly reduced (col.7; lines: 42-52). It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the colored polyvinyl butyral resin interlayer of Yaba et al. to the subassembly of the photovoltaic device of Umemoto et al. in order to achieve from 5-60% visible light transmittance otherwise if the transmittance is higher than 60% it may be difficult to reduce the glare from the back electrode of the solar cell/photovoltaic module and if the transmittance is less than 5% then the visibility is greatly reduced.

### ***Conclusion***


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Asha Hall whose telephone number is 571-272-9812. The examiner can normally be reached on Monday-Friday 7:30-5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexa Neckel can be reached on 571-272-1446. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1709

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AJH



ALEXA D. NECKEL  
SUPERVISORY PATENT EXAMINER